

REMARKS

Claims 1 – 14 and 16 – 23 are pending. Claims 4, 22 and 23 are allowable, and claims 1 – 3, 5 – 14 and 16 – 21 are rejected.

The applicants amend claim 1 not to overcome the examiner's rejection but to more clearly recite an aspect of the applicants' invention. The applicants respectfully assert that claims 1 – 3, 5 – 14 and 16 – 21, as amended, are in condition for allowance for at least the reasons discussed below.

Rejection against claims 1, 11, 14 and 21 under 35 U.S.C. §112 1st paragraph

The applicants respectfully assert that the specification does provide support for the applicants' claimed position in which the body can not receive an item to be stored in the compartment and in which the body remains without one exerting pressure on the body. For example, FIGS. 2, 3, and 4, and paragraphs 13, 18 and 24 clearly show and discuss such a position.

Rejection against Claims 1 – 10

The applicants respectfully assert that Claim 1, as amended, is patentable over U.S. Patent 5,400,902 (Kaminski) at least because Kaminski fails to disclose moving a post to at least two different positions, one of which is a position where the body of the post can receive an item to be stored in the compartment and the other of which is a position where the body of the post can not receive the item to be stored in the compartment.

Kaminski appears to disclose a compact disc storage case that includes clamp arms 36 for holding a compact disc 31, a cross-shaped spring 34 for moving the disc 31 relative to the clamp arms 36, and a release button 32 for simultaneously moving the clamp arms 36 and the spring 34 to position the disc 31 for removal from the clamp arms 36. See *FIGS. 1 - 5 and Col 4, line 54 through Col 5, line 30*.

FIGS. 2 and 3 of Kaminski appear to show one position of the clamp arms 36 in which the clamp arms 36 hold the disc 31. FIG. 2 appears to show the position of the clamp arms 36 before the disc 31 is held by the arms 36. FIG. 3 appears to show the same position but as the disc 31 is held by the arms 36. FIG. 5 appears to

show another position of the clamp arms 36 in which the disc 31 can be removed from the clamp arms 36. Apparently, to insert the clamp arms 36 into the hole of the disc 31, one simply exerts pressure on the disc and toward the clamp arms 36. In response to the pressure, the disc arms 36 move inward (similar to the movement shown in FIG. 5), and are eventually inserted into the hole of the disc 31. Apparently, to remove the disc 31 from the clamp arms 36, one moves the release button 32 (as shown in FIG. 5). Eventually, this moves the clamp arms 36 inward, and deflects the cross-shaped spring 34, which causes the disc 31 to move in a direction opposite to the direction that the release button 32 is moved.

Because each clamp arm 36 is moved between its respective positions (shown in FIGS. 2 and 5) to allow the clamp arms 36 to be inserted into or withdrawn from the hole of the disc 31, the two different positions shown for each clamp arm 36 appear to be the limits of the clamp arms' movement.

When the clamp arms 36 are in the position shown in FIGS. 2 and 3, the clamp arms 36 can receive the disc 31 to hold it. When the clamp arms 36 are in the position shown in FIG. 5, the clamp arms 36 can also receive the disc 31 to hold it. And when the clamp arms 36 are in any of the positions between the position shown in FIGS. 2 and 3 and the position shown in FIG. 5, the clamp arms 36 can receive the disc 31 to hold it.

Therefore, unlike the applicants' post, Kaminski's clamp arms can not be moved to a position where the clamp arms 36 can not receive the disc 31.

Claims 2 – 10 are patentable at least by virtue of their dependencies from claim 1, as amended.

Rejection against Claims 11 – 13

Claim 11 is patentable over Kaminski at least for reasons similar to those recited above in support of claim 1, as amended, over Kaminski.

Claims 12 and 13 are patentable at least by virtue of their dependencies from claim 11.

Rejection against Claims 14 and 16 – 20

The applicants respectfully assert that Claim 14 is patentable over Kaminski and U.S. Patent 6,799,677 (Marsilio) at least because, unlike the applicants' claimed post, Kaminski's clamp arms, as discussed above, can not be put into a position where the clamp arms can not receive a storage disc, and Marsilio's hub requires one to exert pressure on its body to keep the hub in a position in which the hub can not receive a disc.

Also as discussed above, support for the applicants' claimed position in which the body of a post can not receive a storage disc when the disc is stored in the compartment and in which the body remains without one exerting pressure on the body, can be found in FIGS. 2, 3, and 4, and paragraphs 13, 18 and 24.

FIG. 6 of Marsilio appears to show a position of the hub 32 in which the hub holds a disc 30, and FIG. 8 appears to show a position of the hub in which the disc may be released from hub. Because the hub is moved between these two positions to allow the hub to be inserted into or withdrawn from the hole of the disc 30, the two positions shown in FIGS. 6 and 8 appear to be the limits of the hub's movement. As discussed in Col. 4, lines 9 – 23, when a downward force is applied to the hub 32, the hub moves from the position shown in FIG. 6 to the position shown in FIG. 8, and when the downward force is removed from the hub, the hub returns to the position shown in FIG. 6. Therefore, Marsilio's hub requires one to exert pressure on it to keep the hub in a position in which the hub can not receive a disc.

Claims 16 – 20 are patentable at least by virtue of their dependencies from claim 14, as amended.

Rejection against Claim 21

The applicants' respectfully assert that Claim 21 is patentable over Kaminski and U.S. Patent 6,535,379 (Smeenge) at least because, unlike the applicants' claimed post, Kaminski's clamp arms, as discussed above, can not be put into a position where the clamp arms can not receive a storage disc, and Smeenge's post does not appear to move between two different positions.

Conclusion

The applicants respectfully request that the examiner withdraw the rejections against claims 1 – 3, 5 – 14 and 16 – 21, as amended, and issue an allowance for claims 1 – 14 and 16 – 23, as amended.

If, after considering this response, the examiner believes the claims should not be allowed, the applicants' attorney respectfully requests that before issuing an Office Action, the examiner call Mr. Janeway (425-455- 5575) to schedule a telephone conference to further the prosecution of the claims.

The Commissioner is hereby authorized to charge, at any time during the pendency of this application, any required fees or credit any overpayment to Deposit Account 08-2025 pursuant to 37 C.F.R. §1.25.

Dated this 11th day of March 2008.

Respectfully submitted,
GRAYBEAL JACKSON HALEY LLP



John M. Janeway
Registration No. 45,796

Correspondence to:
Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400
Phone: (970) 898-7244